
United States District Court
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JOSHUA P. EISENHAUER, Staff Sergeant,
United States Army,

Plaintiff,

v.

FRANK PERRY, Secretary, North Carolina
Department of Crime Control and Public Safety,

Defendants.

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JUDGMENT IN A CIVIL CASE
CASE NO. 5:12-CV-459-D

Decision by the Court:

IT IS ORDERED AND ADJUDGED that the Court substitutes Frank Perry for Rueben Young pursuant to Fed.R.Civ.P.25(d), as Perry is now the Secretary for the Department of Public Safety. The Court GRANTS Defendant Perry's Motion for Summary Judgment [D.E. 37], and DISMISSES Plaintiff's complaint WITHOUT PREJUDICE for failure to exhaust administrative remedies, or alternatively, as without merit. The clerk shall close the case.

THE ABOVE JUDGMENT WAS ENTERED TODAY, NOVEMBER 15, 2013 WITH A COPY TO:

Mark L. Waple (via CM/ECF Notice of Electronic Filing)
Jodi Harrison (via CM/ECF Notice of Electronic Filing)

November 15, 2013
Date

JULIE A. RICHARDS, Clerk
Eastern District of North Carolina

/s/ Debby Sawyer
(By) Deputy Clerk

Raleigh, North Carolina